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6	IN THE UNITED STATES DISTRICT COURT	
7	DISTRICT OF ARIZONA	
8	DISTRICT OF	
9	U.S.A.,	No. 08-3367M
10	Plaintiff,	ORDER
11	V.	
12	Felix Cortez-Bernal,	
13		
14	Defendant.	
15		
16	THE COURT, having reviewed the Motion to Extend Indictment Deadline, and	
17	good cause appearing,	
18	IT IS ORDERED granting the motion and extending the time within which the	
19	government may seek to indict defendant by thirty (30) days.	
20	THE COURT makes the following findings:	
21	1) Counsel for defendant has only recently been appointed;	
22	2) The defendant earnestly wishes to consider the plea offer;	
23	3) The defendant wishes to investigate possible defenses prior to	
24	considering the plea offer;	
25	4) The government's offer, if accepted by the defendant and then the court,	
26	would likely reduce defendant's exposure to a significant prison term;	
27	5) If the defendant does not timely accept the plea offer prior to indictment	
28	the government will withdraw the offer and any subsequent offer would likely be less	
	advantageous to the defendant;	

6) Failure to extend the time for indictment would thus operate to bar defendant from reviewing the offer in a meaningful way prior to indictment; and

7) The ends of justice served by this extension outweigh the best interests of the public and the defendant in a speedy indictment.

The Court therefore concludes that the ends of justice are best served by granting an extension of time to present the case to the grand jury and in excluding a period of thirty (30) days under the Speedy Trial Act. In making this determination, the Court has particularly taken into account that the failure to grant the Defendant's request "would deny counsel for the defendant . . . the reasonable time necessary for effective preparation, taking into account the exercise of due diligence." 18 U.S.C. § 3161(h)(8)(B)(iv).

IT IS HEREBY ORDERED that defendant's Motion to Extend Time for Indictment requesting an extension of thirty (30) days within the government may seek to indict defendant, is hereby granted.

IT IS FURTHER ORDERED that pursuant to the Speedy Trial Act, 18 U.S.C. § 3161, the Government shall have an extension of thirty (30) days to file a timely Indictment. Excludable time shall begin to run on the 31st day after arrest for a period of thirty (30) days in which the Government may present the case to the grand jury.

DATED this 25th day of August, 2008.

Lawrence O. Anderson United States Magistrate Judge